

**REMARKS**

Claims 2-15, 17 and 18 were pending in the application. Claims 12-15 have been withdrawn from consideration by the Examiner as pertaining to a non-elected invention. Claim 17 has been amended to replace "non-planar substrate" with "fiber", and claim 18 has been amended to replace "deposition" with "decomposition". Claim 8 has been amended to provide proper antecedent basis in view of the amendment to claim 17. No new matter has been introduced. Thus, claims 2-11, 17 and 18 are submitted for reconsideration at this time.

**Interview With Applicants' Representative**

Applicants thank the Examiner for the interview with Applicants' representative, Marc Weinstein. During the interview, agreement was reached that the cited art failed to disclose or suggest an exposed external circumferential surface of a fiber being heated to substantially the same temperature, the temperature being sufficient for decomposition of a gaseous precursor material, as claimed. As such, claims 2-15, 17 and 18 are considered to be allowable over the cited art.

**Rejection(s) Under 35 U.S.C. § 112, ¶ 1**

Claims 2-7 and 18 stand rejected under 35 U.S.C. § 112, ¶ 1, because the specification allegedly does not reasonably provide enablement for "all non-planar substrates". While Applicants do not agree with this assertion, Applicants have amended claim 17 to recite "fiber" instead of "non-planar substrate" in order to further prosecution of the pending application, which is supported by original claims 1 to 15 and throughout the specification and drawings. Withdrawal of the rejection under 35 U.S.C. § 112, ¶ 1 is solicited.

**Prior Art Rejections**

Claims 1-11, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,168,540 to Winn ("Winn" hereafter) in combination with U.S. Patent No. 3,860,444 to Donckel ("Donckel" hereafter) or further in combination with either U.S. Patent No. 5,258,204 to Wernberg ("Wernberg" hereafter) or U.S. Patent No. 4,790,625 to Biswas ("Biswas" hereafter). Claim 1 was canceled in Applicants' reply of November 7, 2001. Thus, Applicants respectfully traverse the rejection of claims 2-11, 17, and 18 as follows.

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The Office Action correctly acknowledges that Winn fails to disclose heating the source material to provide the gaseous coating material. The Office Action asserts, however, that Donckel teaches coating a fiber by CVD wherein the coating material is heated to form a vapor that is subsequently coated on the fiber, and that it would have been obvious at the time the invention was made to have modified Winn by incorporating a heated source material as opposed to a source material which is already in gaseous form because of the expectation of achieving similar results. Applicants respectfully disagree.

As discussed during the interview noted above, heating the fiber to a temperature sufficient for decomposition of a gaseous precursor material (as allegedly taught by the cited art) does *not* mean that the exposed external circumferential surface of the fiber is also heated to substantially the same temperature as claimed. As the cited art fails to disclose or suggest this additional feature, pending claims 2-11, 17, and 18 are considered to be allowable over the cited art. Withdrawal of the rejection under 35 U.S.C. §103(a) is solicited.

#### Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date May 20, 2003

By



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Registration No. 29,768

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.



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GROUP 1700

Atty. Dkt. No. 054270-0122

MARKED UP VERSION SHOWING CHANGES MADE

8. (Twice Amended) A method as claimed in claim 17, wherein the [non-planar substrate] fiber is an optical fiber.

17. (Twice Amended) A method of manufacturing a substantially continuous circumferential coating on a [non-planar substrate] fiber having a length and a width and an exposed external circumferential surface, said method comprising the steps of:

heating the [non-planar substrate] fiber in a static [substrate] deposition geometry in a manner such that the exposed external circumferential surface of the [non-planar substrate] fiber remains exposed to an extent sufficient to form the continuous coating thereon, the exposed external circumferential surface of the [non-planar substrate] fiber being heated to substantially the same temperature, the temperature being sufficient for decomposition of a gaseous precursor material;

independently heating a source material to provide said gaseous precursor material; and

directing said gaseous precursor material to said static [non-planar substrate] fiber, whereby the substantially continuous circumferential coating is formed from decomposition of the gaseous precursor material on the exposed circumferential surface of the [non-planar substrate] fiber.

18. (Twice Amended) A method in accordance with claim 8, wherein the optical fiber is separated from a heating surface for heating the fiber by a substantially constant sized gap large enough to allow the vapor to envelop the surface of the fiber but small enough to allow the surface of the fiber to be heated to the [deposition] decomposition temperature by the heating surface.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No. 054270-0122

Applicant: Michael Herman Koch et al.

Title: FABRICATION OF ZINC OXIDE  
FILMS ON NON-PLANAR  
SUBSTRATES AND THE USE  
THEREOF

Appl. No.: 09/403,505

Filing Date: 02/01/2000

Examiner: B. Talbot

Art Unit: 1762

AMENDMENT TRANSMITTALMail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	16	—	20	=	0	x	\$18.00	=	\$0.00
Independents:	4	—	4	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

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<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$0.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$0.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 20, 2003

By 

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